

July 5, 1935

Mr. Henry Hamming,
Naf, Idaho.

RE: BOX ELDER DIST.

Dear Mr. Hamming:

Mrs. Clara E. Frost, a widow at Grouse Creek, is having trouble in getting her pro rata share of the water from the Grouse Creek Security Pipeline Co., claiming that some of the users on the upper part of the pipeline are preventing the water from reaching her place. She has asked this office to investigate and determine what is necessary in order for the proper division of the water owned by said company.

We are very busy at this time and I have not a member of the office staff available to make this investigation and report. Inasmuch as this culinary water is vital to Mrs. Frost, I am wondering if it would be possible for you to so arrange your affairs on Clear Creek to permit you to run over to Grouse Creek, investigate the conditions and see if you can't make arrangements with the officials of the pipeline Co., whereby they will permit Mrs. Frost's water to reach her home without the necessity of this office putting a man in charge. If you can do this, I will be glad to compensate you for your time and can allow you 5 cents per mile for your car.

I am enclosing herewith, the first letter received by this office, dated June 18, and the subsequent correspondence which will give you an idea of what is involved. You will note under Sec. 100-5-9 Revised Statutes of Utah 1933, a copy of which I forwarded to you several days ago, that where the users in a company can not agree relative to the distribution of the water, upon petition of 25% of the users, this office must take exclusive charge and divide the water according to the established rights.

July 1, Mrs. Frost petitioned the office to take charge of the distribution of the water from the Security Pipeline Co. You will note this petition was signed by 6 users covering 8 of

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the 25 shares of stock issued by the corporation. The petition nor the letter does not indicate whether or not these 6 users are 25 or a larger percent of the users.

I feel sure that if you can find time to make this investigation, you will be able to make arrangements, while on the ground, to have this water equitably divided by the officials of the company. If however, this can not be accomplished and the petition of July 1 signed by Mrs. Frost and 5 other users covers 25% of the water users, it is advisable that you determine from the water users, the person who should be appointed as my agent to make the distribution. If such an agent be appointed, the cost of the services involved must be paid by the stockholders of the company. This, I wish you would make plain to all persons involved.

If it is possible for you to make this trip, I wish you would do so without delay and if not, I would appreciate hearing from you by return mail.

With kindest personal regards, I am

Yours very truly,

L. H. Humphreys,
STATE ENGINEER.

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Encl.